



Montana Fish, Wildlife & Parks

Region Four Headquarters
4600 Giant Springs Road
Great Falls, MT 59405
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Environmental Assessment Decision Notice for the Proposed Development of Fishing Access Sites at Sterling Ranch May 20, 2009

Description of Proposed Action: Montana Fish, Wildlife and Parks (FWP) proposes to develop Fishing Access Sites (FAS) at two heavily impacted public access areas along the Upper Missouri River on the Sterling Ranch. These sites are currently accessible to the public through a five-year Private Land Fishing Access Agreement (PLFA) with FWP.

The PLFA agreement is due to expire on June 30, 2009. Through this agreement, FWP had proposed to develop two of the more heavily impacted areas, commonly known as Lone Tree and the Bull Pasture. Public use of the undeveloped sites has created resource damage and unsatisfactory unsanitary conditions. Development of the sites is anticipated to rectify many of these conditions, improve public access, and decrease the impacts on the Sterling ranch property. FWP proposes to administer the two sites through a lease agreement with Sterling Ranch at an annual cost of \$1,500 per site with a 2% annual inflation factor.

Public Process and Comments: A draft Environmental Assessment regarding this proposed action was posted on December 26, 2008 in the Recent Public Notices section of the FWP public website. Legal notices were printed twice each in the *Great Falls Tribune* and *Helena Independent Record*. Printed copies of the EA were mailed to adjacent landowners, US Bureau of Land Management, PPLM, and the Sterling Ranch. Copies of the EA were placed in the Region 4 Headquarters lobby and FWP offices in Helena for public review. Public comments were accepted for 30 days through January 26, 2009.

Eight (8) public comments were received, most of which were supportive of the project, and appreciative of Sterling Ranch's history of granting public access. A common sentiment is to develop the sites, but with a desire to improve the sites in a manner to not further the crowding conditions seen on that stretch of river, nor create additional natural resource concerns.

A concern was raised about the viability of trail(s) at the Lone Tree site due to its steepness and potential for icing in the cold weather. Maintenance of steps or steep trails was also raised as a concern. Additional comments were noted about the specifics of the lease agreement, operational costs, etc. This individual will be contacted directly to provide that information.

A neighboring landowner expressed concern for disturbance of their view from their home, and possible problems from increased waterfowl hunting at the site.

Several commented on the need to better enforce existing rules and regulations at these sites, but since the sites are not developed and posted with rules and regulations, this is difficult in the current situation.

Decision: Based on the Environmental Assessment and public comment, it is my decision to approve the proposed action and develop the Lone Tree and Bull Pasture sites, and enter into a lease agreement with Sterling Ranch for the sites.

To address concerns raised about disturbance of views from nearby homes, FWP will analyze the Bull Pasture site and design the parking area, signs, and latrine placement to reduce the visual impact as much as possible within the site constraints. Earth tone colors will be used on the latrine and site delineation features such as barrier posts or rocks.

Trails developed at the Lone Tree site will be designed as step-landing type, with suitable precautions taken to improve footing in cold weather. Locations and layouts will be assessed to locate the trails in areas with the least grade, possibly using switchbacks. Water bars or other drainage features will be installed to minimize the potential for erosion. Fencing will be installed in key locations to discourage visitors from walking down the adjacent steep banks and causing resource damage. Signage will also be placed instructing the public to use the designated trails and not the steep banks. A suggestion that visitors park at Lone Tree and walk along the highway to access lower graded areas is not deemed feasible or prudent as a public agency for safety concerns. There is very little shoulder on the highway, with low visibility in areas due to curves in the road. FWP will endeavor to build suitable routes to the river within the Lone Tree site to avoid the need for walking on the highway.

Both sites will be designed to limit the number of users able to use the site at one time, and to clearly delineate parking areas and traffic patterns. The sites will be designed as low capacity sites suitable for the carrying capacity of the landscape and limiting any natural resource damage. This will assist in addressing the concerns raised in the comments about overcrowding and additional resource damage. Since other developed FAS areas exist nearby (Craig, Wolf Creek Bridge, Holter Lake area) it is anticipated that users will travel to one of these other sites if Lone Tree or Bull Pasture are at capacity. Additionally, rules and regulation signing will allow for FWP staff and wardens to enforce public use regulations established for the site, including a prohibition of overnight camping.

FWP will initiate aggressive measures to control noxious weeds on both sites through an agreement with the Lewis and Clark County Weed Management District.

In accordance with FWP policy, an appeal may be made by any person who has either commented in writing to the department on the proposed project, or who can provide new evidence that would otherwise change the proposed plan. An appeal must be submitted to the Director of FWP in writing and must be postmarked or received within 30 days of this decision notice. The appeal must describe the basis for the appeal, how the appellant has previously commented to the department or participated in the decision-making process, and how the department can provide relief. The appeal should be mailed to: Director, Montana Fish, Wildlife & Parks, 1420 East 6th Avenue, Helena, MT 59620.

 /s/

Roger Semler
Region Four Parks Manager